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REMARKS

Examiner's Interview Summary

Applicants thank Examiner for the telephone interview granted to their Attorney on May 19, 2005. In this interview, Attorney attempted to point out that the primary reference, the Song et al. (US5,949,999) is not an anticipatory reference under 35 USC 102. In order to reject under 35 USC 102, the reference must teach every element of the invention without modification. Applicants submitted that Song does not do this. Applicants pointed out that the present invention claims cover the combination, in tracking the development of software products, (as set forth in claim 1) of means for setting up and simultaneously displaying a sequence of checkpoints in each of a plurality of developmental lines and means for determining which checkpoints have been reached in each developmental line and indicating the reached checkpoints on the display. While Song is concerned with software development and may permit user access to what may be considered developmental lines, Song does not appear to be concerned with a collective or simultaneous display of a plurality of developmental lines each with indicated reached and unreached checkpoints. The Examiner points out that Song does disclose some form of "state-checker", this checker checks for the status of the software documentation on a component by component basis - not by the simultaneous display of all component development lines. Applicant explained that Song is primarily concerned with software documentation i.e. that the documentation at each stage meets the development process requirements for that stage.

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Applicants understand that the term "software documentation" may be broad enough to, under certain circumstances, cover the actual software being developed. It is clear from a reading to the whole Song disclosure that Song is only concerned with whether there is required documentation at each stage to provide sufficient customer or client support for the software being developed. As will be argued in greater detail hereinbelow, this is not teaching every element of the invention without modification as required by 35 U.S.C. 102.

Applicants' Argument:

Claims 1-5, 8-12, 15-19, 22, 25 and 28 are not anticipated under 35 USC 102(b) by Song et al. US5,949,999.

Song is not an anticipatory reference under 35 USC 102. In order to reject under 35 USC 102, the reference must teach every element of the invention without modification. Applicants submit that Song does not do this. The present invention claims the combination, in tracking the development of software products, (as set forth in claim 1) of means for setting and displaying a sequence of checkpoints in each of a plurality of developmental lines and means for determining which checkpoints have reached in each developmental line and indicating the reached checkpoints on the simultaneous display. While Song is concerned with software development and may permit user access to what may be considered developmental lines, Song does not appear to be concerned with a collective display of a plurality of developmental lines each with indicated reached and unreached checkpoints. The Examiner points out that Song does disclose some form of "state-checker", this checker checks for the status of the software documentation.

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Song is primarily concerned with software documentation i.e. that the documentation at each stage meets the development process requirements for that stage.

Consider typical claim 1:

1. A computer controlled display system for tracking the development of complex software products having a plurality of developmental lines comprising:

means for setting in each of said plurality of developmental lines, a sequence of checkpoints;

means for tracking each of said developmental lines to determine the reached checkpoints; and

means for simultaneously displaying said plurality of developmental lines and indicating said reached checkpoints.

Song does not teach setting in each of a plurality of developmental lines a sequence of checkpoints. The Examiner points to col 3, lines 57 and 58. This is a very vague citation. It deals with a procedure for producing software documents for a software development and testing process. There is some very general statement about defining procedures and documents requires during the project execution. It is submitted that such a vague and general statement does not meet the 35 USC 102 requirement that the reference has to teach without modification the claimed element: "setting in each of said plurality of developmental lines, a sequence of checkpoints".

The Examiner also cites Fig. 3 for this teaching. Fig. 3 has a very short and general description of the measurement of a variety of elements in a software support document various stages in the development of a product component, and little else. It is not seen what the Examiner regards as his check points. Does the Examiner

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intend that every element of every stage in the development of the product component is a check point? Is so, how is "tracking each of said developmental lines to determine the reached checkpoints" carried out in Song 's Fig. 3 also cited by Examiner for this element?

The Examiner cites col 3, lines 58-62 as teaching this point. The section does state that a marked activity indicates that the software support document for that activity is available. As stated in col 2, lines 8-23, these support software documentation is often required by law. It is submitted that indicating the existence of documentation for a given activity at a given phase of a single component is not "simultaneously displaying said plurality of developmental lines and indicating said reached checkpoints". Figure 3 in Song at most shows phases in the documentation, not development of a single not plurality of product lines.

It is submitted that, for the reasons set forth hereinabove, the general and somewhat vague disclosure of Song does not meet the very specific requirements of 35 USC 102 that the reference must teach every element of the invention without modification.

In this connection, the claims have been modified to set forth that the plurality of developmental product lines are viewed simultaneously. This provides an overall picture of the plurality of product lines coacting in the development of the complex software product development. Clearly, Song, in Fig. 3 can only fill up the display screen with the development of a single component development line.

For the reasons set forth hereinabove, it is submitted that Song fails to disclose every element of the invention without modification as required for a rejection under 35.

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USC 102 of claims 1-5, 8-12, 15-19, 22, 25 and 28 as amended.

The rejection of claims 6, 13, 20, 23, 24, 26, 27, 29, and 30 as obvious over Song et al under 35 U.S.C. 103(a) is also respectfully traversed.

Dependent claims 6, 13, and 20 are submitted to be patentable over Song for all of the reasons set forth above for the claims from which they depend. In addition, these claims set forth an implementation when modifying the actions required of checkpoints, the modification may include switching of the actions to other of said plurality of developmental lines. The Examiner concedes that Song does not disclose this but relies on some vague statements in Song about changes to contend that such switching is disclosed by Song. Applicants can find nothing in Song related to switching of attributes and action between developmental lines. Further, it is submitted that the reason such switching in the present invention may be interactively easily done is that all of the plurality of lines are simultaneously displayed. In Song, e.g. Fig. 3, each of the development are individually displayed with a description devoid of any suggestion that attributes or actions may be switched to other unseen developmental lines.

Claims 23, 24, 26, 27, 29, and 30 are submitted to be patentable over Song for all of the reasons set forth above for the claims from which they depend. In addition, these set forth an implementation wherein a set of attributes of a checkpoint may be displayed at the checkpoint. The Examiner argues that this is suggested by Fig. and col 4, lines 50-55 in Song. But in the argument above in support of Song disclosing an indicator that a checkpoint has been reached,

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In order to try to find subject matter in the Application which both examiner and Applicants may agree is allowable, we have added claim 31 which includes all of the limitations of method claims 8-14.

In view of the foregoing, claims 1-31 are submitted to be in condition for allowance and such allowance is respectfully requested.

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